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9

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 MAUREEN CLARK and SONYA
ALEXANDER, individually, and on behalf of
13 all others similarly situated,

14 Plaintiff,

15 vs.

16 BANK OF AMERICA, N.A.,

17 Defendant.
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CASE NO. 2:16-cv-02228-GMN-VCF

**STIPULATION AND [PROPOSED]
ORDER CONTINUING HEARING AND
SUPPLEMENTAL BRIEFING ON
PLAINTIFFS' UNOPPOSED MOTION
FOR APPROVAL OF FLSA
COLLECTIVE SETTLEMENT, NAMED
PLAINTIFF SERVICE PAYMENTS,
AND ATTORNEY'S FEES AND COSTS**

1 This Stipulation is entered into with regard to the following facts:

2 On April 15, 2020, Plaintiffs Maureen Clark and Sonya Alexander (“Plaintiffs”) filed an
3 Unopposed Motion for Approval of FLSA Collective Settlement, Named Plaintiff Service
4 Payments, and Attorney’s Fees and Costs (“Motion”)[ECF No. 115].

5 On August 31, 2020, the Court issued an Order denying Plaintiffs’ Motion in part and
6 otherwise deferring ruling on the Motion [ECF No. 118]. The Order set a hearing for September
7 30, 2020 “to explain to the Court why the settlement should be approved and the case dismissed”
8 and specified that, by September 23, 2020, the parties should “file supplemental briefing to aid in
9 the Court’s decision as to the issues identified herein.”

10 Since issuance of the Court’s August 31, 2020 Order, counsel for the parties have been
11 diligently conferring to address the portions of the Court’s Order which raised concerns with
12 certain provisions of the parties’ settlement agreement, in particular the portions providing for
13 notice of the settlement to Collective Members as part of a one-step settlement approval process
14 pursuant to the Fair Labor Standards Act and the definition in para. 1.2 of “Released Claims.”

15 Counsel for the parties are still in the process of conferring about addressing the above-
16 specified issues with the Court and believe they need an additional two weeks to either finalize a
17 joint submission that assuages the Court’s concerns, if possible, and, if not, to submit their
18 separate supplemental briefing as ordered by the Court.

19 **STIPULATION**

20 Based on the above facts, Plaintiffs and Defendant, through their respective counsel of
21 record, hereby stipulate and request that the Court continue the September 30, 2020 hearing
22 regarding settlement approval and the deadline to submit their supplemental briefing by two
23 weeks, or such later date that is convenient to the Court, to afford counsel for the parties
24 sufficient additional time to confer about addressing the portions of the Court’s Order which set
25 forth concerns with the parties’ settlement agreement, as specified above.

DATED: September 23, 2020.

**WOLF, RIFKIN, SHAPIRO,
SCHULMAN & RABKIN, LLP**

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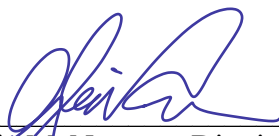
Attorneys for Plaintiffs MAUREEN CLARK
and SONYA ALEXANDER

ORDER

Based on the above Stipulation, and for good cause shown, the Court hereby continues the hearing on Plaintiffs' Unopposed Motion for Approval of FLSA Collective Settlement, Named Plaintiff Service Payments, and Attorney's Fees and Costs to October 14, 2020, at 12:00 p.m., via Zoom Videoconference. The parties shall have until October 7, 2020, to file their supplemental briefing.

IT IS SO ORDERED.

Dated this 24 day of September 2020.



Gloria M. Navarro, District Judge
United States District Court

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of September, 2020, a true and correct copy of **STIPULATION AND [PROPOSED] ORDER CONTINUING HEARING AND SUPPLEMENTAL BRIEFING ON PLAINTIFFS' UNOPPOSED MOTION FOR APPROVAL OF FLSA COLLECTIVE SETTLEMENT, NAMED PLAINTIFF SERVICE PAYMENTS, AND ATTORNEY'S FEES AND COSTS** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

/s/ Matthew C. Kane
MATTHEW C. KANE